

**BEST AVAILABLE COPY****REMARKS/ARGUMENTS**

It is respectfully requested that claims 2 and 11-27 be cancelled with disclaimer and prejudice. Claim 1 has been amended to additionally recite the subject matter recited in claim 2. In addition, claim 1 has be amended to further clarify that the basic block is associated with a case block of the interpreter associated with the virtual machine program instruction and the basic block includes native code that has been previously interpreted and executed by the interpreter.

It is respectfully submitted that the cited art does NOT teach or suggest: determining whether a basic block is present in a code cache that stores native code corresponding to virtual machine program instructions when it is determined that the program instruction is a branch instruction, wherein the basic block is associated with a case block of the interpreter associated with the virtual machine program instruction and the basic block includes native code that has been previously interpreted and executed by the interpreter.

Furthermore, it is respectfully submitted that the cited art does NOT teach or suggest: copying by native code generated by the interpreter (as a result of execution of the virtual machine instruction) into the cache code after the interpreting of the code by the interpreter when it is determined that the basic block associated with the case block of the interpreter is not present in said code cache.

Based on the foregoing, it is submitted that the claims are patentably distinct over the cited art of record. Additional limitations recited in the independent claims or the dependent claims are not further discussed because the limitations discussed above are sufficient to distinguish the claimed invention from the cited art. Accordingly, Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 500388 (Order No. SUN1P275). Should the Examiner believe that

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a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,  
BEYER WEAVER & THOMAS, LLP



R. Mahboubian  
Reg. No. 44,890

P.O. Box 70250  
Oakland, CA 94612-0250  
(650) 961-8300